

COMPLAINT

(for filers who are prisoners without lawyers)

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN

(Full name of plaintiff(s))

BALSEWICZ, John H,

"MELISSA" (TRANSGENDER NAME)

WDOC # 226740

v.

Case Number:

(Full name of defendant(s))

(to be supplied by Clerk of Court)

BARTOW, Bryan

Wisconsin Resource Center - Director,

ET. AL (SEE ATTACHED)
(AS TO ALL DEFENDANTS; INDIVIDUAL/OFFICIAL CAPACITY.)

"THIS: CIVIL RIGHTS COMPLAINT, 42 U.S.C. § 1983"
(28 U.S.C. § 1331 - and - 28 U.S.C. § 1343)

A. PARTIES

1. Plaintiff is a citizen of WISCONSIN, and is located at
(State)
"WAUPUN CORRECTIONAL INSTITUTION" located at:
200 S. Madison Street, Post Office Box 351, Waupun, WI. 53963
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant PLEASE SEE INSERTED PAGES FOR ALL DEFENDANTS),
(Name)

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is (if a person or private corporation) a citizen of WISCONSIN
(State, if known)
and (if a person) resides at PERSONAL INFORMATION OF STAFF NOT ALLOWED.
(Address, if known)
and (if the defendant harmed you while doing the defendant's job)
worked for "WISCONSIN RESOURCE CENTER" Located at:
1505 North Street, Post Office Box 16, Winnebago, WI 54985.
(Employer's name and address, if known)
AS TO ALL DEFENDANTS; INDIVIDUAL | OFFICIAL CAPACITY
(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

"PLEASE SEE INSERTED PAGES"

CLAIM 1: GD MEDICAL REPORT NOT SENT CAUSED LONG DELAY TREATMENT.

CLAIM 2: DBT TO HELP COPE - UNWILLING / UNJUSTLY REMOVED MENTAL TREATMENT.

CLAIM 3: MY SUICIDE NOTE TO DR. BLUMER. HE REFUSED TO RETURN PINK COPY.

[SEE ALSO: WRC-2017-2593; WRC-2017-1957; WRC-2017-1947. Consolidating Arguments.]

CLAIM 4: THERAPISTS DID NOT REPORT/DOCUMENT MY THREATS OF SELF-HARM.

CLAIM 5: PCT'S DID NOT REPORT/DOCUMENT MY THREATS OF SELF-HARM/SUICIDE.

CLAIM 6: ACTUAL INJURY 1: SUICIDE BY HANGING ATTEMPT, 12-18-16.

CLAIM 7: ACTUAL INJURY 2: SUICIDE BY CUTTING ATTEMPT, 12-24-16.

CLAIM 8: ACTUAL INJURY 3: SUICIDE BY PILL OVERDOSE ATTEMPT, 12-31-16.

"Joinder of claims with claim 4, per F.R.C.P. 18.1)
• (SRINKA: WRC-2017-1957; BARTOW: WRC-2017-2593; RETALIATION: WRC-2017-1947.)
(PREA REPORTED BIASED AGAINST TRANSGENDERES FOR ALL COMPLAINTS.)

CLAIMS:

SEE INSERTED PAGE NO.:

INTRODUCTION

3.b

CLAIM 1: G.D MEDICAL REPORT NOT SENT CAUSED LONG DELAYED TREATMENT.

3.c

CLAIM 2: DBT TO HELP COPE - UNWILLING/UNJUSTLY REMOVED MENTAL TREATMENT.

3.c

CLAIM 3: MY SUICIDE NOTE TO DR. BLUMER. HE REFUSED TO RETURN PINK COPY.

3.d

[SEE ALSO: WRC 2017-2593, WRC 2017-1957, WRC 2017-1947, Consolidating Arguments]

CLAIM 4: THERAPISTS DID NOT REPORT/DOCUMENT MY THREATS OF SELF-HARM.

3.d

CLAIM 5: PETS DID NOT REPORT/DOCUMENT MY THREATS OF SELF-HARM/SUICIDE.

3.e

CLAIM 6: ACTUAL INJURY 1: SUICIDE BY HANGING ATTEMPT 12.18.16

3.f

CLAIM 7: ACTUAL INJURY 2: SUICIDE BY CUTTING ATTEMPT, 12.24.16

3.g

CLAIM 8: ACTUAL INJURY 3: SUICIDE BY PILL OVERDOSE ATTEMPT, 12.31.16
01.02.17.

3.h

BRIEF LEGAL THEORY:

3.k

CONCLUSION:

3.i

EXHAUSTION OF ADMINISTRATIVE REMEDIES:

3.b

["JOINDER OF CLAIMS WITH CLAIM 4, PER: F.R.C.M.P. 18:)
• (SRINJAI WRC 2017-1957, BARTOW: WRC 2017-2593; RETALIATION: WRC 2017-1947,)
(PREA-REPORTED BIASED AGAINST TRANSGENDER FOR ALL COMPLAINTS.)]

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"cont.-"

: CAUSES OF ACTION :

HONORABLE COURT:

: PARTIES :

1 I, JOHN HENRY BALSEWICZ (226740), am the Plaintiff and is currently confined at the: WAYPUN CORRECTIONAL INSTITUTION ("WCI") Located at: 200 S. Madison Street, Post Office Box 351, Waypun, WI. 53963. But, at all times relevant to events and issues given rise to this complaint, I was confined at the WISCONSIN RESOURCE CENTER ("WRC") Located at: 1505 North Street, Post Office Box 220, Winnebago, WI 54985.

2 Each and Every above-named Defendant(s) were citizens and employees at the WRC. At all times relevant to events and issues given rise to this complaint, against them all are: BARTOW, Byron (WRC Director); LUNDQUIST, Timothy C., (WRC Deputy Director) Both Directors are legally responsible for all employees and inmates under their supervision. DR. BLUMER, Craig A. (Ph.D) (WRC Clinical Director, responsible for all psychological personnel and programs under his supervision); FRANKLIN, Darryl; KREMER, Edward; KAPITZKE, Dee (All three are Institution unit supervisors ("IUS")); LEHNOP, Gerald; HELMEID, Michael J. (Both are Psychological Care Supervisors ("PCS")); DR. FLECK, Angela (Consulting Licensed Psychologist ("LP")); DANFORTH, Lindsay E. (Psychological Associate ("PA")); SRNKA, Jennifer L. (Social Worker ("SW")), BESSERT, John; SCHRAA, Brian; LENZ, John K. (All three are Psychological Care Technicians ("PCT")); BACON, Renata E. (Institution Complaint Examiner ("ICE")), ET AL. Each and Every above-named Defendant(s) failed to protect me from self-harm!

EXHAUSTION:

- 3 The Inmate Complaint Review system - "ICRS" - is an Administrative Mechanism in which inmates can file grievances and is so outlined in the Wisconsin Administrative Code Chapter DOC. § 310.05. SEE: Pozo v. McCaunty, 286 F3d 1022, 1025 (7th Cir. 2002); And also Failure to Exhaust is an affirmative defense which Defendants MUST prove. SEE: Dale v. Lappin, 376 F3d 652, 655 (7th Cir. 2004).

INTRODUCTION:

- 4 I was referred and accepted to the WRC (DOC. 1479 A-B) to do another round of the Dialectical Behavioral Therapy ("DBT") - Providing for some "new skills!" This was to HELP me cope with my: major depressive disorder (§ 296.30, DSM-5); Bipolar Disorder (§ 296.80, DSM-5); with Suicidal Ideation / Plans / Intent. Stemming from my own admittance suffering with GENDER DYSPHORIA ("G.D.") (§ 302.6A, DSM-5). SEE: DOC. 3473, Halper, 3-31-16; DOC 223, Halper, 4-26-16. My Request to Return to the WRC and why were made very clear! TO HELP me cope with all above stated. YET, I was lulled, deceived into returning for care and treatment NOT offered (to which I was not aware of) at the WRC! NO qualified psychological - psychiatric Therapists! NO groups / classes / programs / therapies for any person of the Lesbian / Gay / Bisexual / Transgendered "L.G.B.T." Communities! NO real HELP or treatment were to be offered me - Looks great on paper though: "Shut her up". Having been DELAYED PHYSICAL TREATMENT and having been REMOVED (unjustly) from MENTAL TREATMENT - YES, my DEPRESSION WORSEMED, as I told staff! I WARNED Key WRC staff: namely above listed Defendants, "I was thinking of self-harm or suicide! Neither kept me safe from Me!

5 CLAIM 1. G.D. MEDICAL REPORT NOT SENT CAUSED LONG DELAY TREATMENT.

I admitted to and met ALL criterias for GENDER DYSPHORIA (G.D.).
SEE: PSYR. DOC. 3035 B, Balsewicz, 2.18.16 / 3.9.16; DOC. 3473, Halper, 3.31.16;
DOC. 223, Halper, 4.4.16. I later learned I was just lulled into believing ALL
these Medical reports had been sent to the G.D. Committee for further
consideration, approval for Hormone Therapy (Dr. Kevin KALLAS, is the
Mental Health Director). I believed care and treatment were forthcoming!
All lies! When Bonnie HALPER, PA, MA, Medical reports were NOT sent and
WRC staff told me it was — the whole deception hindered and DELAYED my
progress with PHYSICAL THERAPY ("Hormones") by eleven (11) long months. YES,
I sent out my PSYRS to PSU. I wanted to know WHAT happened and WHY?!
The Blame Game! So, I submitted my INMATE COMPLAINT: WRC.2016.21182
(9.27.16); ICE Receipt (9.29.16); ICE REJECTION (10.29.16); Appeal (10.23.16);
ICE Receipt (10.26.16); ARA, Affirmed (10.27.16). FINAL.

6 CLAIM 2. DBT TO HELP COPE - UNWILLING/UNJUSTLY REMOVED MENTAL TREATMENT.

YES, for all reasons explained throughout here, I was returned to the
WRC to do another round of the DBT to HELP me cope! DBT was NOT meant
or designed for LGBT+ to cope with "struggles"! This coupled with issues of
having to hear WRC staff inform me that the Director, Byron BARTOW, doesn't
want my type (i.e., transgenders) at the WRC! Then to learn there are
absolutely NO qualified staff to hold groups / classes / programs / therapies, etc.;
for any person of the LGBT communities! Having been sent to the WRC to
redo a Therapy program NOT meant or designed for my issues; being removed
caused my Depression to worsen, I told staff, trigger self-harms. So, I
submitted my INMATE COMPLAINT, WRC.2016.27434 (12.7.16); ICE receipt

(12.9.16); ICE REJECTION (1.4.17); Appeal (1.6.17); ICE Receipt (1.11.17); ARA, Affirmed (1.17.17). FINAL. * [SEE ALSO INMATE COMPLAINT: WRC 2017.2593.]

7 CLAIM 3. MY SUICIDE NOTE TO DR. BLUMER - HE REFUSED TO RETURN PINK COPY.

I sent a PSUR to Dr. Craig A. BLUMER, Ph.D., Clinical Director, Asking for his HELP! To keep me in DBT group (Desperate for HELP). Again explaining about G.D medical report, Claim 1, How there's NO qualified staff to HELP treat any LGTBs. I spoke with him about how my Depression was worsening. I WARNED him (verbally & written) I would self-harm or suicide (in an attempt to get sexual Reassignment surgery "SRS" or Gender Reassignment Surgery "GRS.") I was born John - but I will die Melissa! (PSUR.DOC.3035B, Balsewicz, 11.13.16.) All my pleas fell on deaf ears. Dr. BLUMER even attempted to make our colloquy and said PSUR vanish. He attempted to NOT send me my Patient ("Pink") copy of said PSUR back to me. SEE: Doc form, per se, is '2' ply' Green copy goes into PSU file; Pink copy goes to Patient/Inmate. Dr. BLUMER NO doubt attempted to make said form vanish. WHY? Because it was/is a suicide note to him and potentially damaging to him later - Prison official cannot ignore a problem once it is brought to their Attention! So, I submitted my INMATE COMPLAINT: WRC 2016.27229 (12.5.16), ICE Receipt (12.7.16); ICE REJECTION (01.03.17); Appeal (01.06.17); ICE Receipt (01.11.17); ARA, Affirmed (01.17.17). FINAL.

8 CLAIM 4. THERAPIST DID NOT REPORT/DOCUMENT MY THREATS OF SELF-HARM.

Being G.D., I often fantasize about being in a totally different body - "female" - seriously! So, I very explicitly described to ALL the Treatment Team members: JUS FRANKLIN; SW SRNKA; PA DANFORTH; PA SPIEGELBERG ... "that I have thoughts of going outside to courtyard, cut open my sack and feed my

nuts to the squirrels!" (id) YET, again to no real surprise to me NOT ONE of them had reported/documented my Threat of castration [Transgenders who suffer with G.D. have been known to self-mutilate; WRC staff ⁱⁱ⁾ were completely and deliberately indifferentⁱⁱⁱ⁾. Only Pet, Andrew W. Louboos done so correctly! So, I submitted my INMATE COMPLAINT: WRC-2016-08100 (12-13-16); ICE Receipt (12-16-16); ICE REJECTION (01-09-17); Appeal (1-11-17); ICE Receipt (1-13-17); ARA, Affirmed, (1-17-17). FINAL. [SEE ALSO: ⁱⁱⁱ⁾ WRC-2017-2593; ⁱⁱ⁾ WRC-2017-1957; WRC-2017-1947.]

9 CLAIM 5. PET DID NOT REPORT/DOCUMENT MY THREATS OF SELF-HARM/SUICIDE.

I Honored my commitment to all therapists! That when I'm having thoughts to self-harm or suicide to inform staff I did just this. As I've done at other times. While at the WRC (H-18), I went to ALL first-shift PETS sitting at their desk, together, and told them ALL: BESSEET, John; SHERA, Brian; LENZ, John K.; specifically: "I'm having suicidal thoughts!" PET, LENZ, John K. later admitted to this encounter (WRC Progress. Note. Avatar - LENZ, 12-09-16). Their comeback remarks were: He didn't mention any plans or intent. Really? Neither PET done anything! Report or even document my comments! Call a Supervisor or Psychologist. Nothing. I spoke with PES, LENNOF, Gerald. He agreed with me, something should've been done. Not until I complained did any WRC staff start documenting anything. Even when I was removed from unit - staff still scripted. Sure sign of guiltiness! So, I submitted my INMATE COMPLAINT: WRC-2016-07777 (12-12-16); ICE Receipt (12-13-16); ICE Report (Dismissed with modification) (1-6-17); ARA, Affirmed (1-6-17); Appeal (1st submission: 1-11-17) (2nd submission: 1-30-17); ICE Receipt (2-02-17); Affirmed (2-13-17); OOS Decision: Affirmed (2-13-17). FINAL.

10 CLAIM 6. ACTUAL INJURY 1: SUICIDE BY HANGING ATTEMPT

Commencing on, 12-16-16, during a 1:1 with SRNKA, Jennifer L. (SW), I reflected/reiterated my comments to PETS of self-harm or suicide to her. Complaining of their doing nothing; She questioned: "What were your thoughts?" I told her! "My preference is to hang - come in on a cord, will go out on a cord!" Symbolic. But nothing ever goes right, so "I would save my Pills and take a bunch before I attempted to hang or cut myself" (SEE: WRC, Progress Notes, Avatar - SRNKA, 12-16-16; TLU-DOC-67-FRM, 12-16-16: "Reasons for Placement - Relocated to High Management Pending an Investigation into Threats to Engage in Significant self-harm." Also placed in: "Restrictive Status Housing" - Rationale for Location - Higher Level of Monitoring Required." My comments: "Whether it's taking Pills or cutting my wrists to go to sleep." (room no reviews over weekend). Per the Reasons for the Placement: JUS, KREMER, Edward (H-16); PA, DAUFORTH, Lindsay E.; SW, SRNKA, Jennifer L.: ALL had consulted each other prior to TLU'ing me and potentially issuing me a conduct report for Threats of self-harm. Obviously, they wanted to punish rather than treat and keep safe! If they had, they would've been placing me strictly in Observation Status (DOC-311.04/14) NOT TLU status (DOC-303.10/4)(C)! If they had the intent of keeping me safe (311.04 and 14): taking property I could use to self-harm with; not giving it back to me, was the only option! And placement in a cell closest to staff was preferable not placing me in a cell furthest from staff. And no 15-minute checks were not being conducted, I was not in observation status - what WRC staff are now claiming - In fact, I was in Temporary Lock-up ("TLU") status - what WRC staff refer to as: "A time-out" ("when I elect to go into when I need a break from the unit; OBS status I'm placed in for clinical monitoring" by Lindsay E. DAUFORTH, 2-13-17). When I went to High Management on A-4 clearly I was TLU, when I hung myself

with the Segregation Orange pull-over shirt; PA, DANFORTH and SW, SRUKA, Approved and Provided for; sometime after I was placed in Observation - NOT-Status * When I returned from AURORA HEALTH CARE! I WARNED ALL THREE IUS, KREMER; PA, DANFORTH; SW, SRUKA: "I would engage in significant self-harm. When I hung myself - YES, I was unconscious when, PET, Kristy BARR, noticed me during one of her census rounds. Asked, PET, Paul CHAPA, for advice "is that a ligature." PET CHAPA pressed the panic button. Responders and supervisors responded. It was PET CHAPA, that lifted my limp body while PES, Theresa A. BARWELL (also ICE), cut the ligature! Examined by, Amy L. MECKE, RN, went to AURORA Emergency Room. SEE WRC HSH medical Records; Incident Reports (x4); AURORA HEALTH CARE RECORDS! So, I submitted my INMATE COMPLAINT: WRC-2016-28787 (12.21.16); ICE Receipt (12.23.16); ICE Report, Dismissed, (1.18.17); AEA, Affirmed (1.20.17); Appeal (1.22.17); CCE Receipt (1.26.17); CCE Decision, Affirmed, (1.27.17); oos Decision, Affirmed (2.14.17). FINAL.

PERSONAL INJURY

II CLAIM 7. ACTUAL INJURY 2: SUICIDE BY CUTTING ATTEMPT.

During my, 12.22.16, 1:1 with SW SRUKA - this session PA, DANFORTH, was present. THREE (3) days after my hanging attempt. Obviously, the THREE (3) of us discussed the whole suicide situation. TLU; OBS; Significant self-harming! hanging-cutting-pills! A SAFETY PLAN was created for me. They did NOT comply. During this discussion and the making of my SAFETY PLAN - I reached onto the desk of SW SRUKA, picked up a pair of scissors and simply said "Anything can happen in a second." (J). Clearly making another reference to cutting my self. But, it was taken as an overt threat against SW SRUKA. PES, Gerald LENNOX, placed me in TLU. PES, LENNOX, is very aware: I'm TRANSGENDER with DEPRESSIVE issues and suicidal - And I'm MH.2-A. He marked me as MH.1. He was required to call PSY!

Prior to Telling me. Likewise, with Pcs, Michael J. HELMEID, spoke with him about same. I even gave him a PSUR (DOC-3035 B) 12-23-16 stating that: "I'm w/ suicidal tendencies shouldn't be given means to self-harm!" (JL). Shortly, thereafter, I broke my eyeglasses, sharpened the lens on concrete, cut myself! Pet, Reed WISMER, noticed me during a census check cutting my inner-forearm with a sawing-like motion. Pet, WISMER pressed the panic button. Responders and Supervisors responded. I was attended to by, Pione WRIGHT, RN, who cleaned and bandaged my wound. Pcs, LENWOP, and Pcs, HELMEID, both knowing, or should've known, was only THREE (3) days since my hanging attempt in same cell, and I was still threatening suicide, BOTH should've taken precautionary measures to keep me safe by confiscating items I could self-harm with. Both automatically should've consulted Psi as required due to IM MH-2-A! Serious Mental Illness / suicidal. Neither done as required. Due to both being completely and deliberately indifferent to my serious medical needs, I was able to self-harm potentially suicide. SEE: Incident Report. So, I submitted my INMATE COMPLAINT: WRC-2017-975 (1-6-17); ICE Receipt (1-9-17); ICE Report, Dismissed, (1-25-17); ARA, Affirmed (1-26-17); Appeal (1-30-17); CCE Receipt (2-2-17); CCE Decision, Affirmed (2-3-17), OOS Decision, Affirmed (2-14-17). FINAL.

PERSONAL INJURY

12 CLAIM 8. ACTUAL INJURY 3: SUICIDE BY PILL-OVERDOSE ATTEMPT.

Ending with, staying true to my suicide Plan and intent, I told SW, SRUKA, on 12-16-16 (SEE: TLM Doc-67 form; WRC Progress Notes / and Everyone, thereafter, that I would save my pills to overdose on. I'm pre-scribed Lithium - 300 mg 3x daily. Between dates of: 12-24-16 and 12-31-16, I'd done just that! I was even in observation status still for cutting! NO ONE! (e.g., Nurses, i.o., Pet,) watched me, or asked me to see inside my mouth, under my tongue - nothing! So, evidently,

What I told INS, KREMER; SW, SRNKA; PA, DANFORTH; on 12.16.16 were forgotten!
WRC is NOT WONDERLAND, inmates go there for self-harming and continue to self-harm because WRC staff are too complacent with believing WRC is a Mental Health facility; that the inmates are being provided for; that someone else will protect her from self-harm. This lazy mentality allows us to self-harm! As above with stated PETS, PCS, PA, SW, INS, Even the Clinical Director. Being in observation status is the whole purpose of this. TO WATCH OR OBSERVE, VERY CAREFULLY, every 15-minutes, sooner if needed. I also told PA, DANFORTH, and DR. FLECK, Angela (CLP), NOT to give me anything I could potentially self-harm with. They actually documented this, (DOC. DHS-F-016148, 12.29.16). I accepted nothing: No property; No clothes; No food; Nothing. YET, NOT ONE STAFF (who are supposed to be trained to look for certain signs) took notice; I was ONLY accepting my PILLS! One thing I did warn WRC staff I would save my PILLS and attempt an overdose off/on. I did. I saved, while in observation status, TWENTY-FIVE (25) PILLS. On, 12.31.16 @ 6:45pm, The last day of the year, ⁽²⁰¹⁶⁾ I'd hoped would've been my last day of my life! PET, Scott WITZKE, observed me with clear eye-view there were pills, that I ingested the pills, summoned for Responders and Supervisors. Nurse, Barb Sullivan examined me, phoned on cell mo, MONESE, George, for order to transport to hospital. I was taken to MERCY MEDICAL CENTER, Emergency Room - Admitted - placed in Intensive Care Unit. Blood-Lithium levels rose; forced-vomit; forced-defecation every 15-30 minutes; NG Tube down nose, IV-meds-saline 72 hr drip. ICU: 12.31.16/1.2.17. "All because Even when I WARNED All above-named Defendant(s); They ALL still failed to protect me from self-harm (SIGNIFICANT) or dangerous Behaviors!" SEE: WRC-HSU medical files; Incident Reports; MERCY MEDICAL CENTER - Emergency Room and Intensive Care Unit Records; WRC-STAFF (PET/CA) trip and/or visit Progress Notes, Logs, census, Etc.. Between dated. So I submitted my INMATE COMPLAINT: WRC 2017-1310 (1.11.17); ICE Receipt

(1.11.17), ICE Report, Dismissed, (1.26.17), ARA, Affirmed, (1.30.17); Appeal (1.31.17); CCE Receipt (2.3.17); CCE Decision, Dismissed, (2.6.17), OOS Decision, Affirmed, (2.17.17). FINAL.

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: CONCLUSION:

Being TRANSGENDER · SUFFERING WITH GENDER DYSPHORIA · born inside the wrong body has been torturous! Then to confess (finally) of such to all family and friends, to watch them all abandon me - causes so much - pain and hurt! WCI lulled me into believing a G.D. medical Report was sent and, therefore, care and treatment were forthcoming, WRC done some! All lies! IF my mother hadn't phoned Dr. Kevin KALLAS (BHS, mental Health director) They wouldn't have ever told me the truth. There are no qualified mental Health staff at WRC to even have cared and treated me for G.D.. [Doesn't matter whether I had an actual G.D. diagnosis from: WDOC SPECIALIST Cynthia OSBORNE, until February 02, 2017. WDOC staff were already implementing a few of the accommodations: WDOC DAS, Policy and Procedure, chapter 500.70.27, Health Services, GENDER DYSPHORIA, management and treatment:] So with all this said and done - staff were very well informed about my situation(s). So they cannot now Arque "I did not know!" my G.D. medical Report NOT being sent as was required to Dr. Kevin KALLAS (BHS, mental Health director), only hindered and ultimately DELAYED by Eleven (11) months of my care and Treatment for HORMONE THERAPY and possibly SRS - GRS! And caused the effect of my Depression to worsen even worse! until I started self-harming attempting to suicide myself. All THREE (3) attempts over THREE (3) consecutive weekends · All just around Christmas and New Years, Holidays/Family/Mental Health, ACTUAL INJURY 1: Suicide by HANGING Attempt, ANDREA-ER: 12.18.16
ACTUAL INJURY 2: Suicide by CUTTING Attempt, WRC-HSY: 12.24.16
ACTUAL INJURY 3: Suicide by PILL OVERDOSE Attempt, MERRY-EPICU: 12.31.16 - 01.02.17.

BRIEF LEGAL THEORY

* TRANSSEXUAL OR GENDER DYSPHORIA (§ 302.6A, DSM-5) should be considered by this HONORABLE COURT to be a SERIOUS MEDICAL NEED as it is "one that has been diagnosed by a physician as mandating treatment or one that is so obvious that even a lay person would easily recognize the necessity for a doctor's attention." SEE: *Estelle v. Gamble*, 429 U.S. 97 (1976).

15 * MAJOR DEPRESSIVE DISORDER (§ 296.30); BIPOLAR DISORDER (§ 296.80), with suicidal ideation, plan, intent, SEVERAL SERIOUS ATTEMPTS, is obviously a SERIOUS MEDICAL NEED - worsened by DELAY of hormone treatments G.D. issues!

16 YES, I have several SERIOUS MEDICAL NEEDS! My Mental Health concerns, which places me at a very HIGH RISK RATE of suicide or self-harm; SEE: *Estate of Cole by Pardue v. Fromm*, 94 F.3d 254 (7th Cir. 1996). WRC staff NOT taking very simple steps or measures, as is part of their job, to ensure my safety - in all actuality caused my life-threatening injuries! And their OBVIOUS DELIBERATE INDIFFERENCE to all above argued. SEE: *Gutierrez v. Peters*, 111 F.3d 1364, 1369 (7th Cir. 1997). Violating my EIGHTH AMENDMENT RIGHT. (a.) Objective, b.) Subjective, c.) Causation) Against cruel & unusual punishment. SEE: *Meriwether v. Faulkner*, 821 F.2d 408 (7th Cir. 1987); *Wellman v. Faulkner*, 715 F.2d 269 (7th Cir. 1983); *Wilson v. SEITER*, 501 U.S. 294 (1991); *Farmer v. Brennan*, 511 U.S. 825 (1994).

17 "WRC staff were very well aware of all my SERIOUS MEDICAL NEEDS" and still did NOT respond reasonably to my suicide threats: they gave me the means in which to engage in significant self-harm potential suicide: shirt to hang myself with; ² Eyeglasses to cut myself with; ³ Pills to save & overdose with!" SEE: *Vance v. Peters*, 97 F.3d 987 (7th Cir. 1996).
3.R PLEASE SEE BALSEWICZ' DECLARATION Exhibits.

C. JURISDICTION



I am suing for a violation of federal law under 28 U.S.C. § 1331,

As well AS under:

28 U.S.C. § 1343 (a)(1)(2).

OR



I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is

\$_____.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

Now, as to each and every above named Defendant(s) all below,
separately and together, as PUNITIVE DAMAGES, I, hereby, REQUEST:

(AS TO ALL DEFENDANTS), BOTH IN THEIR INDIVIDUAL AND OFFICIAL CAPACITIES)

*

A). ORDER WAC AS A TREATMENT CENTER FOR ALL WISCONSIN inmates to
offer: groups/programs/classes/therapies for Persons of the Lesbian/Gay/Bisexual/
Transgendered (LGBT) Communities;

B). Paragraphs 4 to 9, causing Actual Injury 1: Sum TOTAL: \$ 100,000.⁰⁰

C). Paragraphs 4 to 10, causing Actual Injury 2: Sum TOTAL: \$ 75,000.⁰⁰

D). Paragraphs 4 to 11, causing Actual Injury 3: Sum TOTAL: \$ 100,000.⁰⁰

E). As an Alternative, all CLAIMED issues in controversy, I, hereby REQUEST
OR DEMAND be put before a JURY TRIAL, to be tried by Trier of Facts.

E. JURY DEMAND

I want a jury to hear my case.

☒ - YES

☐ - NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 8th day of MARCH 2017.

Respectfully Submitted,

"Mellson"

John H. Belsuey
Signature of Plaintiff

226740

Plaintiff's Prisoner ID Number

WAUPUN (CORRECTIONAL INSTITUTION)
200 S. Madison Street

Post Office Box 351
Waupun, WI. 53983

(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE
FULL FILING FEE

☒ I DO request that I be allowed to file this complaint without paying the filing fee. X
I have completed a Request to Proceed in District Court without Prepaying the
Full Filing Fee form and have attached it to the complaint. X

☐ I DO NOT request that I be allowed to file this complaint without prepaying the
filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this
complaint.

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